

## **AMENDMENT TO THE CLAIMS**

The listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

Claims 1-160 cancelled.

161. (Currently amended) Zolpidem hemitartrate Form D, characterized by an X-ray powder diffraction pattern having peaks at about 7.1, 9.5, 14.1, 19.6 and  $24.5 \pm 0.2$  degrees two-theta, and the corresponding d-spacing values of about 12.5, 9.3, 6.3, 4.53, and 3.63 Å.

162. (Currently amended) The zolpidem hemitartrate of claim 161, further characterized by an X-ray powder diffraction pattern having peaks at about 8.4, 10.2, 12.2, 12.9, 13.2, 15.9, 16.3, 17.7, 18.8, 21.0, 21.7, 23.0, 23.6, 25.9, 26.5, 30.0, and  $30.6 \pm 0.2$  degrees two-theta, and the corresponding d-spacing values of about 10.5, 8.7, 7.3, 6.9, 6.7, 5.6, 5.4, 5, 4.7, 4.2, 4.1, 3.89, 3.77, 3.44, 3.36, 2.98, and 2.92.

Claims 163-165 cancelled.

166. Cancelled.

Claims 167-260 cancelled.

261. (Previously presented) The zolpidem hemitartrate of claim 161, further characterized by an X-ray diffraction pattern substantially as depicted in Figure 5.

262. (Previously presented) The zolpidem hemitartrate of claim 161, further characterized by a DTG thermogram substantially as depicted in Figure 6.

263-279. Cancelled.

280. (New) A pharmaceutical composition comprising a therapeutically effective amount of the zolpidem hemitartrate of claim 161 and a pharmaceutically acceptable carrier.